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*Attorney for Plaintiffs*

WILCO FINANCIAL SERVICES CORP.,

STEPHEN WILSHINSKY,

and CHARLOTTE WILSHINSKY

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

WILCO FINANCIAL SERVICES  
CORPORATION, *et al.*,

Plaintiffs,

v.

HALBERD CORPORATION, *et al.*,

Defendants.

Case No. CV 12-10041 FMO (FFMx)

**DECLARATION OF KENNETH EADE  
IN SUPPORT OF MOTION FOR  
DEFAULT JUDGMENT**

Date: February 6, 2014

Time: 10:00 a.m.

Courtroom: 22, 5<sup>TH</sup> Floor

Judge: Fernando M. Olguin

I, KENNETH G. EADE, hereby declare as follows:

1. That I am the attorney for the Plaintiffs, and, if called upon as a witness, could competently testify as to the following facts within my personal knowledge.

2. On December 6, 2012, service of the summons and complaint upon Defendant HALBERD CORPORATION was accepted by Randall Goulding, counsel for Defendant, as acknowledged by his email, attached to the proof of service filed on December 28, 2012 [Dkt 7].

1           3.     On December 13, 2012, service of the summons and complaint upon  
2 Defendant HALBERD CORPORATION, was made personally upon Defendant's  
3 registered agent, pursuant to the proof of service filed on December 28, 2012 [Dkt 9].

4           4.     Defendant failed to respond within the statutory time, pursuant to FRCP 55,  
5 and its default was entered on January 4, 2013. On January 16, 2013, the Defendant  
6 moved to set aside the default, which the Court granted on February 5, 2013.

7           5.     On May 28, 2013, the Defendant's counsel filed a motion to withdraw as  
8 counsel for Defendant. The motion was granted on July 15, 2013. In granting the  
9 motion, the Court ordered that Defendant retain counsel and file a notice of appearance of  
10 counsel no later than August 15, 2013, and that the failure to file a notice of appearance  
11 may result in a default being entered against it and its counter-complaint being dismissed  
12 for failure to prosecute and/or failure to follow a Court Order. The Defendant did not  
13 retain counsel and did not file a notice of appearance of counsel by August 15, 2013.

14           6.     On August 16, 2013, the Plaintiffs requested the Clerk of the Court to enter  
15 default against the Defendant, which was entered on September 5, 2013.

16           7.     The failure of the Defendant to follow the Court order and enter an  
17 appearance of counsel is a failure to otherwise defend the complaint, for which the  
18 Plaintiffs request a default judgment, pursuant to Federal Rule of Civil Procedure 55.

19           8.     That the defaulting parties are not infants or incompetent person, and the  
20 Servicemembers' Civil Relief Act (50 App. USC section 521) is not applicable to the  
21 defaulting parties, as Defendants are not natural persons.

22           9.     That the Notice of the Request to Enter Default was served on the  
23 Defendants HALBERD CORPORATION, HENRY LIGOURI and RUEBEN LOWING  
24 by mail on December 23, 2013, and the Notice of Motion for Default Judgment has been  
25 served concurrently with this Declaration. No notice of a default hearing is required to be  
26 served on Defendants because they have not appeared either personally or by a  
27 representative.  
28



*Wilco Fin'l Svcs Corp, et al. vs. Halberd Corp. et al.*

USDC – CA Central Dist., Case No. CV 12-10041 DDP (FFMx)

**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action, my business address is 6399 Wilshire Blvd., Suite 507, Los Angeles, California 90048.

On January 6, 2014, I served the foregoing documents described as:

**DECLARATION OF KENNETH EADE IN SUPPORT OF MOTION FOR  
DEFAULT JUDGMENT**

on the parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

See attached Service List.

☒ BY CM/ECF NOTICE OF ELECTRONIC FILING: I caused said document(s) to be served by means of this Court's electronic transmission of Notice of Electronic Filing through the Court's transmission facilities, to the parties and/or counsel who are registered CM/ECF Users as indicated in the Service List obtained from this Court.

☒ BY U.S. MAIL: I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence or other service document is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage thereon fully prepaid.

☐ BY ELECTRONIC TRANSMISSION – I transmitted a PDF version of this document by electronic mail to the party(s) identified on the above service list using the e-mail address(es) indicated.

Executed this 6th day of January, 2014, at Los Angeles, California.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

/s/ Nichelle Guzmán  
NICHELLE GUZMAN

*Wilco Fin'l Svcs Corp, et al. vs. Halberd Corp. et al.*

USDC – CA Central Dist., Case No. CV 12-10041 DDP (FFMx)

SERVICE LIST

Defendant HALBERD CORPORATION  
[VIA US MAIL]

Halberd Corporation  
c/o Registered Agent,  
INCORP SERVICES, INC.  
2360 Corporate Circle, Suite 400  
Henderson, NV 89074-7722  
Email: info@halberdcorp.com

Defendant INTERSTATE TRANSFER CO.  
[VIA US MAIL]

Janis Patterson, Registered Agent  
Interstate Transfer Company  
1671 Roycroft Place, Suite C  
Salt Lake City, Utah 84124  
Email: info@interstatetransfer.com  
Phone: 801.414.3928  
Fax: 801.281.9747

Defendant HENRY LIGOURI  
[VIA US MAIL]

Henry Ligouri  
7340 W. Russell Rd.  
Las Vegas, NV 89113

Defendant RUEBEN LOWING  
[VIA US MAIL]

Mr. Rueben Lowing  
c/o Halberd Corporation  
9030 West Sahara Av. #690  
Las Vegas NV. 89117  
Email:  
rueben.lowing@halberdcorp.com

Counsel for Third Party Defendant Wilson  
Davis & Co. Inc.  
[VIA CM/ECF]

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